

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

AMERICAN AIRLINES, INC.,

§

Plaintiff,

§

v.

§ Civil Action No. 4:23-cv-00860-P

SKIPLAGGED, INC.,

§

Defendant.

§

**PLAINTIFF AMERICAN AIRLINES, INC.’S
MOTION TO COMPEL AND FOR SANCTIONS**

Plaintiff American Airlines, Inc. (“American”) files this Motion to Compel and for Sanctions (“Motion”), pursuant to Rule 37 of the Federal Rules of Civil Procedure, and would respectfully show the Court as follows:

SUMMARY

By this motion, American moves the Court to:

1. Enforce its Order overruling Defendant Skiplagged, Inc.’s (“Skiplagged”) objections and ordering the production of complete responses to RFP Nos. 4 and 5 and Interrogatory No. 8 [*see* Dkt. No. 53];
2. Extend the Scheduling Order deadline for American to serve its expert report on damages pursuant to Fed. R. Civ. P. 26(a)(2) until at least three weeks after Skiplagged produces the responsive material, so that American’s damages expert may analyze and incorporate the data in his report [*see* Dkt. Nos. 20, 62, 73];
3. Impose sanctions against Skiplagged for its failure to comply with the Court’s Order [*see* Dkt. No. 53]; and

4. Grant American such other and further relief to which it is justly entitled.

For the reasons detailed in American's Brief filed concurrently with this Motion and incorporated herein by reference, American respectfully requests that the Court grant its Motion under Rule 37.

SUPPORTING APPENDIX

As required by Local Civil Rule 56.6, American is filing a sequentially numbered Appendix with supporting evidence. In accordance with Local Civil Rule 56.5(c), American's supporting Brief will cite to specific pages in the Appendix as "[App'x at ____]."

Dated: April 5, 2024

Respectfully submitted,

/s/ Dee J. Kelly, Jr.

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I hereby certify that on April 2, 2023, as well as numerous times prior to that date, I conferred with Abigail Campbell, counsel for Skiplagged, Inc., and she indicated that Skiplagged was opposed to the relief requested.

/s/ J. Austin Franklin
J. Austin Franklin

CERTIFICATE OF SERVICE

I certify that on April 5, 2024, I served the foregoing document electronically in accordance with the Federal Rules of Civil Procedure.

/s/ Dee J. Kelly, Jr.
Dee J. Kelly, Jr.